

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: April 21, 2004

Division: Growth Management

Bulk Item: Yes X No       

Department: Planning

**AGENDA ITEM WORDING:** Approval for one Restrictive Covenant from Eric and Janice Worrall to have one dwelling unit on contiguous lots described as Lots 3 & 4, Block 1, Snug Harbor Addition #1, Summerland Key.

**ITEM BACKGROUND:** On March 24, 2004 the Planning Commission approved an allocation award for the applicants listed below provided the applicants' Restrictive Covenant is approved by the BOCC. Eric and Janice Worrall submitted the Restrictive Covenant to Monroe County. The applicant is receiving one dwelling unit allocation award for the year ending July 13, 2004, have filed the document in accordance with Ordinance No. 47-1999.

**PREVIOUS RELEVANT BOARD ACTION:** On November 11, 1999, the BOCC adopted Ordinance No. 047-1999.

**CONTRACT/AGREEMENT CHANGES:** N/A.

**STAFF RECOMMENDATION:** Approval.

**TOTAL COST:**       X      

**BUDGETED:** Yes N/A No       

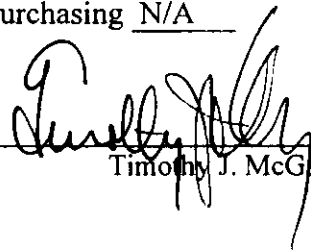
**COST TO COUNTY:**       N/A      

**SOURCE OF FUNDS:**       N/A      

**REVENUE PRODUCING:** Yes N/A No        **AMOUNT PER MONTH** N/A **Year**       

**APPROVED BY:** County Atty X OMB/Purchasing N/A Risk Management N/A

**DIVISION DIRECTOR APPROVAL:**




Timothy J. McGarry, AICP

**DOCUMENTATION:** Included X To Follow        Not Required       

**DISPOSITION:**       

**AGENDA ITEM #** K11

## M E M O R A N D U M

**TO::** Danny Kolhage, Clerk of the Court  
**FROM:** Timothy J. McGarry, Growth Management Director   
**DATE:** April 21, 2004  
**RE:** Clarification of Agenda Item

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### **Restrictive Covenant**

<b>Permit Number</b>	<b>Name on Agenda Item</b>	<b>Name on Restrictive Covenant</b>	<b>Legal Description</b>
03-1-0764	Eric and Janice Worrall	Eric and Janice Worrall	Lots 3 & 4, Block 1, Snug Harbor Addition #1, Summerland Key

## LOT AGGREGATION RESTRICTIVE COVENANT

1. Whereas, Eric and Janice Worrall, a married couple, the undersigned are the sole owners of the following described real property located in Monroe County, Florida described as follows:

**Lot(s): 3 and 4 Block(s): 1**

**Subdivision: Snug Harbor Addition #1**

**Key: Summerland PB: 4-155**

**Real Estate #(s): 00195460.000000, and 00195470.000000,  
and**

2. **WHEREAS**, this Lot Aggregation Restrictive Covenant that restricts the use of the legally described property in order to receive a building permit; and
3. **WHEREAS**, the above described parcel(s) was assigned additional points in the Permit Allocation System for building permit #03100764 for the voluntary reduction of density through aggregation of vacant, legally platted, buildable lots.
4. **NOW, THEREFORE**, the undersigned agree as follows:
  - The above described parcel(s) shall have its density reduced from two dwelling units to one dwelling unit in consideration of a building permit to build a single-family residence; and
  - The restrictions herein shall be binding upon the representatives, heirs, assigns and successors in title of the undersigned; it being the intention if the undersigned by execution and recording of this document that this restriction shall run with the land and shall be forever binding upon the successors in title; and

- This covenant is intended to benefit and run in favor of the County of Monroe; and
- In the event of any breach or violation of the covenant contained herein, the said County may enforce the covenant by injunction or such other legal method, as the County deems appropriate.

EXECUTED ON THIS 7<sup>th</sup> day of March, 2003.

OWNER OR OWNERS

Eric H. Worrall  
(Signature) Eric Worrall

WITNESSES:

Janice Worrall  
(Signature) Janice Worrall

Nancy R. Bohne  
(Signature)

Nancy R. Bohne  
(Print/Type Name)

Barbara Trager  
(Signature)

Barbara Trager  
(Print/Type Name)

MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM  
Date: 3-24-04

Sworn before me this 7<sup>th</sup> day of March, 2003 A.D.



Darlene E. Lloyd  
Notary Public (Print Name)

Darlene E. Lloyd  
Notary Public (Signature)  
My Commission Expires 2-26-07

This instrument was prepared by:  
Eric Worrall  
330 Orlando Blvd.  
Indialantic, FL 32903

Lot Aggregation Restrictive Covenant  
RE: 00195460.000000, and 00195470.000000